

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

# **HOUSE BILL 2091**

AN ACT

AMENDING SECTIONS 36-2262 AND 36-2263, ARIZONA REVISED STATUTES; RELATING TO  
EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2       Section 1. Section 36-2262, Arizona Revised Statutes, is  
3                   amended to read:

4       36-2262. Automated external defibrillators; training; use;  
5                   requirements; definition

6       A. Except as provided in section 36-2264, a person or entity that  
7                   acquires an automated external defibrillator shall:

8                   1. Enter into an agreement with a physician who shall oversee all  
9                   aspects of public access to defibrillation, including training, emergency  
10                  medical services coordination, protocol approval, standing orders,  
11                  communications, protocols and automated external defibrillator deployment  
12                  strategies.

13                  2. Limit the use of an automated external defibrillator to trained  
14                  responders.

15                  3. Require each trained responder who uses an automated external  
16                  defibrillator on a person in cardiac arrest to:

17                      (a) Call telephone number 911 as soon as possible.

18                      (b) Submit a written report to the physician, within five working days  
19                  after its use.

20                  B. The physician shall:

21                  1. Establish quality assurance guidelines that include a review of  
22                  each use of the automated external defibrillator to evaluate performance.

23                  2. Be proficient in emergency medical services protocols,  
24                  cardiopulmonary resuscitation and the use of automated external  
25                  defibrillators.

26                  3. Ensure that each trained responder receives training in  
27                  cardiopulmonary resuscitation and in the use of an automated external  
28                  defibrillator by completing the heart saver automated external defibrillator  
29                  course for the lay rescuer and first responder, in effect as of December 31,  
30                  1998, adopted by the American heart association or an equivalent course that  
31                  meets the same objectives.

32                  4. Ensure that the automated external defibrillator is maintained **IN**  
33                  **GOOD WORKING ORDER** and tested according to the manufacturer's guidelines.

34                  C. For the purposes of this section, "trained responder" means a  
35                  person who meets the requirements of subsection B, paragraph 3 of this  
36                  section.

37       Sec. 2. Section 36-2263, Arizona Revised Statutes, is amended to read:

38       36-2263. Civil liability; limited immunity; good Samaritan

39       The following persons and entities are not subject to civil liability  
40       for any personal injury that results from any act or omission that does not  
41       amount to **wilful WILLFUL** misconduct or gross negligence ~~if that person or~~  
42       ~~entity complies with the requirements of section 36-2262:~~

43                  1. A physician who provides supervisory services pursuant to **AND IN**  
44                  **COMPLIANCE WITH** section 36-2262, subsection B.

1       2. A person or entity that provides training in cardiopulmonary  
2 resuscitation and use of an automated external defibrillator.

3       3. A person or entity that acquires an automated external  
4 defibrillator pursuant to this article **IF THE PERSON OR ENTITY COMPLIES WITH**  
**5 THE REQUIREMENTS OF SECTION 36-2262, SUBSECTION A.**

6       4. The owner of the property or facility where the automated external  
7 defibrillator is located.

8       5. A trained responder as defined in section 36-2262, subsection C.

9       6. **A PERSON OR ENTITY THAT PROVIDES THE AUTOMATED EXTERNAL**  
**10 DEFIBRILLATOR PURSUANT TO THIS ARTICLE.**

11       7. **A NONPROFIT ENTITY THAT, IN THE PLACEMENT OF AN AUTOMATED EXTERNAL**  
**12 DEFIBRILLATOR PURSUANT TO THIS ARTICLE, ACTS AS AN INTERMEDIARY BETWEEN THE**  
**13 PROVIDER OF AN AUTOMATED EXTERNAL DEFIBRILLATOR AND THE PERSON OR ENTITY THAT**  
**14 ACQUIRED THE AUTOMATED EXTERNAL DEFIBRILLATOR OR THE OWNER OF THE PROPERTY OR**  
**15 FACILITY WHERE THE AUTOMATED EXTERNAL DEFIBRILLATOR IS LOCATED.**

16       8. **THIS PROVISION SHALL NOT AFFECT A MANUFACTURER'S PRODUCT LIABILITY**  
**17 REGARDING THE DESIGN, MANUFACTURING, OR INSTRUCTIONS FOR USE AND MAINTENANCE**  
**18 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.**